

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**BYRON KEVIN BEAVER,  
ADC # 153230**

**PETITIONER**

**v.** **CASE NO. 5:15CV00032 BSM**

**WENDY KELLEY, Director,  
Arkansas Department of Correction**

**RESPONDENT**

**ORDER**

The proposed findings and recommended disposition (“RD”) submitted by United States Magistrate Judge Joe J. Volpe and petitioner’s objections thereto have been reviewed. After careful consideration of these documents and a *de novo* review of the record, the RD are hereby adopted in all respects.

Byron Beaver’s petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254, [Doc. No. 2] is dismissed without prejudice. In § 2254 cases, a certificate of appealability may issue only if the petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). As there is no issue on which Beaver has made a substantial showing of a denial of a constitutional right, a certificate of appealability is denied. All other pending motions are denied as moot.

IT IS SO ORDERED this 30th day of June 2015.

  
UNITED STATES DISTRICT JUDGE

